Call to Order: November 15, 2007 at 8:30 a.m. – Board office Conference Room, 919 S 7th Street Ste 504, Bismarck, ND.

Roll Call: Eight board members present as follows:

JoAnn Sund, RN, President Metta Schell, LPN
Mary Tello-Pool, LPN, Treasurer Donna Hegle, RN
Charlene Christianson, RN Julie Traynor, RN

Elizabeth Anderson, LPN Roxane Case, Public Member

Absent Nelson (Buzz) Benson, RN, Vice-President (present on November 16th)

Staff Present:

Constance Kalanek, RN, Executive Director
Patricia Hill, RN, Asst. Director for Practice & Discipline

Karla Bitz, RN, Associate Director
Julie Schwan, Admin Services Coordinator

Linda Shanta, RN, Associate Director for Education

Students from Sitting Bull Community College and other observers present are indicated on the meeting attendance roster.

	llege and other observers present are indicated on the meeting attendance roster.
	A ITEMS THAT WERE REVIEWED AND DISCUSSED AT THE MEETING.
AGENDA ITEM	ACTION
1.1 Consent Agenda	Discussion: The board reviewed the consent agenda.
	Motion: Traynor, seconded by Case to:
	ADOPT THE CONSENT AGENDA AS PRESENTED.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes.
	8 yes, 0 no, 1 absent. Motion carried.
1.2 Agenda	Discussion: The agenda was reviewed as distributed. No revisions were identified.
	Motion: Traynor, seconded by Anderson to:
	APPROVE THE AGENDA AS DISTRIBUTED.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
1.3 Open Forum 9:00 a.m.	Open forum was called at 9:00 a.m. Linda Wurtz, AARP, was present to express appreciation for the board's assistance in promulgating rules for consumer
1.5 Open Forum 9.00 a.m.	directed care. Ms. Wurtz indicates consumer directed care gives consumers more options for care as they age, and AARP supports this concept.
2.1 September 20, 2007 Meeting	Discussion: The minutes of the September 20, 2007 meeting were reviewed. Staff noted one correction in that Pat Hill be struck under the present column
Minutes	in the roll call as she was absent.
	Motion: Traynor, seconded by Anderson to:
	APPROVE THE MINUTES OF THE SEPTEMBER 20, 2007 MEETING AS REVISED.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes.
	8 yes, 0 no, 1 absent. Motion carried.
3.1 Financial Statements	Financial Statements through October 31, 2007 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this
	year. Income is at 26% and expenses were at 35% of budgeted. Tello-Pool reviewed the report in detail.
3.3 Annual Report 2006-2007	Discussion: The board reviewed the draft of the 2006-2007 Annual Report. Staff presented a revision to page 5 to include information about the Nurse
	Faculty Intern Pilot Study.
	Motion: Christianson, seconded by Traynor to: APPROVE THE 2006-2007 ANNUAL REPORT AS AMENDED.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes.
	8 yes, 0 no, 1 absent. Motion carried.
3.4 2006-2007 Audit Report -11:30 a.m.	
anni	were anticipated and discussed last year due to a change in audit reporting requirements. Sperle noted that EideBailley will train staff for certain year end
	adjusting entries so that one of the materials weaknesses can be resolved.
	Motion: Case, seconded by Anderson to:
	ACCEPT THE 2006-2007 AUDIT REPORT AS DISTRIBUTED.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes.
O.F. Orangitary at the Orangica B.	8 yes, 0 no, 1 absent. Motion carried.
3.5 Commitment to Ongoing Regulatory Excellence – Final Results	The board has participated in the NCSBN Commitment to Regulatory Excellence (CORE) research project since inception. Kalanek indicated in comparison with the other 42 boards participating in the study the ND Board of Nursing has one of the smallest budgets. Kalanek highlighted discipline and licensure area
Excellence – Final Results	with the other 42 boards participating in the study the ND Board of Nursing has one of the smallest budgets. Kalanek nighting the discipline and licensure area well in comparison to the national average. The study shows that Independent boards not under umbrella agencies have a higher level of functioning
	as they have more control over processes. Overall the ND Board of Nursing is deemed a high performing board.

AGENDA ITEM	ACTION
4.0 PVR Case Resolution Summary	The board reviewed a Fiscal Year Comparison PVR (Potential Violation Report) Case Resolution Summary. The number of PVRs continues to increase each year. The total days from receipt to resolution has decreased each year. In FY 06-07 there were 106 RN/LPN PVRs received and 65 UAP PVRs.
4.0 Positive Response Resolution Summary	The board reviewed a Fiscal Year Comparison for the Positive Response Resolution Summary. The number of positive responses increased for the RN/LPN but decreased for the UAP since FY 05-06.
4.1 Administrative Settlements - Practice Without a License	Discussion: Seven individuals have signed and submitted administrative settlements for practice without a license/registration since the last meeting. Each was reviewed and considered by the Board.
	Motion: Schell, seconded by Case to:ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING INDIVIDUALS:NameLic/Reg #City, StateSanctionPenalty FeeDean, Adriana103427UAPBismarck, NDReprimand\$400Hackman, TiffanyUAP ApplicantMinot, NDReprimand\$100Haskell, RyanUAP ApplicantFargo, NDReprimand\$100Hatton, JamilliaUAP ApplicantFargo, NDReprimand\$100Sateren-Zoller, ElizabethUAP ApplicantBismarck, NDReprimand\$100
	Suedal, Heather 104872UAP Fargo, ND Reprimand \$100
	Wunderlich, Heather UAP Applicant Minot, ND Reprimand \$500 Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
4.41 Stipulation for Settlement – Theresa LaLonde, R25403	Discussion: Traynor recused herself from this agenda item. A Stipulation for Settlement was received from Theresa LaLonde, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) NDAC 54-02-07-01-1 (5) (6) (7). Motion: Hegle, seconded by Schell to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR THERESA LALONDE, RN, AND ENTER ITS ORDER TO: ISSUE A REPRIMAND; ASSESS A \$300.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND OTHER TERMS AS SET OUT IN BOARD ORDER. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.
4.42 Stipulation for Settlement – Jane Schank, L6011	Discussion: Sund recused herself from this agenda item. A Stipulation for Settlement was received from Jane Schank LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (7). Motion: Traynor, seconded by Case to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JANE SCHANK. LPN, AND ENTER ITS ORDER TO: ISSUE A REPRIMAND; ASSESS A \$500.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND OTHER TERMS AS SET OUT IN BOARD ORDER. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, recuse; Tello-Pool, yes; Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.
4.43 Stipulation for Settlement – Carol Arntz, L3329	Discussion: Sund recused herself from this agenda item. A Stipulation for Settlement was received from Carol Arntz LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (7). Motion: Traynor, seconded by Anderson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR CAROL ARNTZ, LPN, AND ENTER ITS ORDER TO: ENCUMBER THE LICENSE FOR EIGHTEEN MONTHS; ASSESS A \$400.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND OTHER TERMS AS SET OUT IN BOARD ORDER. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, recuse; Tello-Pool, yes; Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.

AGENDA ITEM	ACTION
4.44 Stipulation for Settlement – Tina Foerster, LPN Applicant	Discussion: A Stipulation for Settlement was received from Tina Foerster LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (2). Motion: Tello-Pool, seconded by Schell to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR TINA FOERSTER, LPN, AND ENTER ITS ORDER TO: ENCUMBER THE LICENSE FOR THE TERM OF PROBATION BY THE NE BOARD OF NURSING WITH REQUIRED PARTICIPATION IN WIP DURING THE PERIOD OF ENCUMBRANCE. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes.
4.61 Stipulation for Settlement – Judy Weed, L6607	8 yes, 0 no, 1 absent. Motion carried. Discussion: Brian Bergeson, SAAG, was present for a default hearing for Judy Weed, LPN. A complaint was filed against Judy Weed for violation of NDCC 43-12.1-14 (3) (5) (6) and NDAC 54-02-07-01.1 (7) (12). Bergeson explained that the respondent failed to respond or appear to answer to the allegations of the complaint. Respondent was notified of the hearing, but was not present for the hearing and was not represented by counsel. The Board was presented with the procedural background of the case, including the date of service of complaint and the lack of any answer or response by the Respondent. Board staff provided testimony supporting the factual allegations of the complaint. The disciplinary review panel presented to the Board a recommendation of disciplinary sanctions. The board reviewed and discussed the facts and conclusions of law applicable to the case.
	Motion: Christianson, seconded by Case to: I MOVE: THAT THE RESPONDENT HAS DEFAULTED: THAT THE FACTS IN THE CASE AGAINST JUDY WEED, LPN HAVE BEEN PROVEN BY A PREPONDERANCE OF THE EVIDENCE; THAT THE ALLEGATIONS OF THE COMPLAINT DULY REFLECT VIOLATIONS OF NDCC 43-12.1-14 (3) (5) (6) AND NDAC 54-02-07-01.1 (7) (12); AND THAT THE BOARD ENTER ITS ORDER TO: SUSPEND THE LICENSE FOR TWO YEARS; ASSESS A \$1500.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND OTHER TERMS AS SET OUT IN BOARD ORDER. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
4.71 Request for Reinstatement – Joan Bachman, R10005	Discussion: Joan Bachman has requested reinstatement of her RN license to full status. The board reviewed the current order and discussed the Disciplinary Review Panel recommendation to reinstate the license to full licensure status. The terms and conditions of the board order dated November 18, 2004 have been met as reported by board staff. Motion: Traynor, seconded by Case to:
	GRANT THE REQUEST FOR REINSTATEMENT OF JOAN BACHMANS' RN LICENSE TO FULL LICENSURE STATUS AS SHE AS COMPLIED WITH TERMS AND CONDITIONS OF THE BOARD ORDER DATED NOVEMBER 18, 2004. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
4.72 Request for Reinstatement – Shelli Hayes, L8524	Discussion: Shelli Hayes was present for this agenda item and requested reinstatement of her LPN license. The board reviewed the current order and discussed the Disciplinary Review Panel recommendation to encumber the license for three years. Motion: Tello-Pool, seconded by Traynor: GRANT THE REQUEST FOR REINSTATEMENT OF SHELLI HAYES REVOKED LPN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS ACCORDING TO THE TERMS AND CONDITIONS AS ESTABLISHED AND SET OUT BY THE BOARD ORDER. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes.
4.73 Request for Reinstatement – Jodi Richter, R30600	8 yes, 0 no, 1 absent. Motion carried. Discussion: Jodi Richter was present for this agenda item and requested reinstatement of her RN license. The board reviewed the current order and discussed the Disciplinary Review Panel recommendation to encumber the license for three years, with participation in the Workplace Impairment Program during the encumbrance. Motion: Case, seconded by Traynor to: GRANT THE REQUEST FOR REINSTATEMENT OF JODI RICHTER'S RN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS, WITH REQUIRED PARTICIPATION IN THE WORKPLACE IMPAIRMENT PROGRAM DURING THE PERIOD OF ENCUMBRANCE, ACCORDING TO THE TERMS AND CONDITIONS AS ESTABLISHED AND SET OUT BY THE BOARD ORDER AND THE WIP AGREEMENT.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.

AGENDA ITEM	ACTION
5.21 Annual Education Report Review (NEC)	Discussion: The Nursing Education Committee reviewed the 2006-2007 Fiscal Year 2006-2007 Nursing Education Annual Report. Shanta reported some revisions that will be added to the report and reviewed highlights of the report. Motion from Nursing Education Committee:
	RECOMMEND THAT THE BOARD ACCEPT THE FISCAL YEAR 2006-2007 NURSING EDUCATION ANNUAL REPORT. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
5.22 Approval of DNP PN Course Changes (NEC)	Discussion: Traynor recused herself from this agenda item. The Dakota Nurse Program had a course change for the PN program as reported in the annual report. The PN program change did not constitute a major programmatic change; however, the program is requesting board approval for the revision. Motion from Nursing Education Committee: RECOMMEND THAT THE BOARD APPROVE THE COURSE CHANGES FOR THE DNP PRACTICAL NURSE PROGRAM ACCORDING TO NDAC 54-
	03.2-06-02. PROGRAMMATIC CHANGES. CURRICULAR CHANGES WERE IMPLEMENTED AY 2006-2007. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.
5.23 Programmatic Changes DNP AAS (NEC)	Discussion: Traynor recused herself from this agenda item. During the review of the annual report information, it was revealed that there were major programmatic changes to the AAS RN Program. Shanta noted that there have been administrative changes in the 06-07 year which could have accounted for the oversight in reporting. The curricular change resulted in a one credit increase in total credits required for program completion. Motion from Nursing Education Committee: THAT ACCORDING TO THE ANNUAL NURSING EDUCATION REPORT OF FY 2006-2007, THE DAKOTA NURSING AAS PROGRAM DID NOT MEET THE REQUIREMENTS FOR NOTIFICATION OF MAJOR PROGRAMMATIC CHANGES PRIOR TO IMPLEMENTATION ACCORDING TO NDAC 54-03.2-06-02. PROGRAMMATIC CHANGES; AND DIRECT THE PROGRAM TO SUBMIT ADDITIONAL INFORMATION RELATED TO THE CHANGES IN THE DNP AAS PROGRAM FOR ACTION IN
	JANUARY 2008. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.
5.24 UND College of Nursing – Unqualified Faculty (NEC)	Discussion: Traynor recused herself from this agenda item. During review of the nursing education annual report, it was noted that UND did not meet the requirements Baccalaureate or Graduate Nursing Program Faculty Qualifications and Unqualified Faculty as set out in the rules. Motion from the Nursing Education Committee: RECOMMEND TO THE BOARD THAT ACCORDING TO THE ANNUAL NURSING EDUCATION REPORT OF FY 2006-2007, UND COLLEGE OF NURSING BACCALAUREATE NURSING PROGRAM DID NOT MEET NDAC 54-03.2-04-04 BACCALAUREATE OR GRADUATE NURSING PROGRAM FACULTY QUALIFICATION AND NDAC 54-03.2-04-08 UNQUALIFIED FACULTY. THE PROGRAM MUST PRESENT EVIDENCE OF COMPLIANCE TO THE BOARD IN THE NEXT ANNUAL REPORT ON OR BEFORE SEPTEMBER 1, 2008.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.
5.25 Jamestown College – Unqualified Faculty (NEC)	Discussion: Traynor recused herself from this agenda item. During review of the nursing education annual report, it was noted that Jamestown College did not meet the requirements Baccalaureate or Graduate Nursing Program Faculty Qualifications and Unqualified Faculty as set out in the rules. Motion from Nursing Education Committee: RECOMMENDS TO THE BOARD THAT ACCORDING TO THE ANNUAL NURSING EDUCATION REPORT OF FY 2006-2007, JAMESTOWN COLLEGE OF NURSING BACCALAUREATE NURSING PROGRAM DID NOT MEET NDAC 54-03.2-04-04 BACCALAUREATE OR GRADUATE NURSING PROGRAM FACULTY QUALIFICATION AND NDAC 54-03.2-04-08 UNQUALIFIED FACULTY. THE PROGRAM MUST PRESENT EVIDENCE OF COMPLIANCE TO THE BOARD IN THE NEXT ANNUAL REPORT ON OR BEFORE SEPTEMBER 1, 2008.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.
5.26 Dakota Nurse Program AAS – Unqualified Faculty (NEC)	Discussion: Traynor recused herself from this agenda item. During review of the nursing education annual report, it was noted that Dakota Nursing Program did not meet the requirements Practical or Associate Degree Nursing Program Faculty Qualifications and Unqualified Faculty as set out in the rules. It was noted that BSC had four unqualified faculty, two of which were in the NFI Study for the University of Mary. Staff indicated that the same faculty nurse intern cannot be used in two different programs to meet the requirements of the rules.
	Motion from Nursing Education Committee: RECOMMENDS TO THE BOARD THAT ACCORDING TO THE ANNUAL NURSING EDUCATION REPORT OF FY 2006-2007, DAKOTA NURSING PROGRAM ASSOCIATE OF APPLIED SCIENCE PROGRAM DID NOT MEET NDAC 54-03.2-04-03 PRACTICAL OR ASSOCIATE DEGREE NURSING PROGRAM FACULTY QUALIFICATION AND NDAC 54-03.2-04-08 UNQUALIFIED FACULTY. THE PROGRAM MUST PRESENT EVIDENCE OF COMPLIANCE TO THE BOARD IN THE NEXT ANNUAL REPORT ON OR BEFORE SEPTEMBER 1, 2008.

AGENDA ITEM	ACTION
5.26 Dakota Nurse Program AAS – Unqualified Faculty (cont)	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.
5.31 Grafton Developmental Center Medication Assistant Program II	Discussion: Grafton Developmental Center has submitted a Medication Assistant Program II for board review and continued approval. A new textbook is being used so the curriculum has been revised. Hill indicated the program meets the board's guidelines.
	Motion: Traynor, seconded by Christianson: THAT THE GRAFTON DEVELOPMENTAL CENTER MEDICATION ASSISTANT PROGRAM II MEETS THE REQUIREMENTS FOR MEDICATION ASSISTANT PROGRAM II AS SET BY NDAC CHAPTER 54-07-07 AND THAT THE BOARD GRANT CONTINUED APPROVAL FOR THIS COURSE FROM NOVEMBER 2007 THROUGH NOVEMBER 2011.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
5.32 NDDOCR Medication Assistant Program I	Discussion: ND Dept of Corrections and Rehabilitation has submitted a Medication Assistant Program I for board review and continued approval. They use portions of the Minot State University and adapt to their setting. A section on infectious control has been removed from the medication assistant Program I curriculum, and is taught in a CMI program that they require all UAPs to take, although this is not a requirement of the board. Hill indicated the program meets the board's guidelines.
	Motion: Hegle, seconded by Case: THAT THE ND DEPT OF CORRECTIONS & REHABILITATION MEDICATION ASSISTANT PROGRAM I MEETS THE REQUIREMENTS FOR MEDICATION ASSISTANT PROGRAM I AS SET BY NDAC CHAPTER 54-07-06 AND THAT THE BOARD GRANT CONTINUED APPROVAL FOR THIS COURSE FROM NOVEMBER 2007 THROUGH NOVEMBER 2011.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
5.41 Revised Policy for "CE Renewal Requirements for RN/LPN License" (NEC)	Discussion: The Nursing Education Committee reviewed proposed revisions to the policies for "Continuing Education Renewal Requirements for RN or LPN License". The policy revisions address the use of CE for those that publish articles or provide a CE presentation outside the normal duties of their employment.
	Motion from Nursing Education Committee: RECOMMENDS THAT THE BOARD APPROVE PROPOSED REVISIONS TO THE POLICY "CONTINUING EDUCATION RENEWAL REQUIREMENTS RN OR LPN LICENSE".
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
5.42 Ratification of Approval of workshops, etc for Contact Hours	Discussion: The board reviewed a list of courses approved by board staff for contact hours as of November 14, 2007. Course # 639 was approved at the last meeting for a one time offering, but has now requested reoccurring approval. Course #641 has been cancelled.
	Motion: Tello-Pool, seconded by Traynor to: RATIFY APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING, WHICH INCLUDES COURSES #639 THROUGH #643.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
5.51 Nurse Faculty Intern Pilot Study	Discussion: Twelve applications for Nurse Faculty Intern have been received and reviewed since the last meeting. Motion: Case, seconded by Schell to: RATIFY APPROVAL OF THE FOLLOWING NURSE FACULTY INTERNS:
	LORI SLAUBAUGH, LRSC MARY BRUUN, U OF MARY JULIE VORACHEK, UND ERIN GANNON-LITTON, U OF MARY ANN MASON, UND AARON LINDSTROM, NDSU
	EMILY KULLAND, NDSU JESSICA HANZEL, NDSU MYKELL BARNALLE, NDSU BARBARA ROTH, UND NICHOLE CHISTENSEN, NDSU VALERIE JONES, UND
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
	Shanta provided an update of the nurse faculty intern pilot study. There are currently 33 approved active participants. Four individuals have completed the study through graduation and one has retained employment through the program in which they interned. Stipends of \$9675 have been distributed for presurvey participation, \$2000 was distributed for the NFI Focus Group attendance, and \$2000 has been disbursed for the post survey.

AGENDA ITEM	ACTION
5.52 Report of Out-of-State Students for 2006-2007	Shanta reported that there have been 667 students from out of state nursing programs receiving clinical experience in the state of ND for fiscal year 06-07. ND has a little over 1800 enrolled students in nursing programs throughout the state, so the 667 out of state students make up 27% of the total number of students receiving clinical education in ND facilities. It was noted that out of state student clinical experience was allowed by an exemption in the revisions to 2003 Nurse Practices Act
6.1 MN Border States Recognition Law	Discussion: MN is not a part of the nurse licensure compact, but has implemented a Minnesota License Recognition for Nurses from Border States: Reciprocity Statute. The board discussed the jurisdictional issues that arise with this recognition law. Kalanek indicated that MN Board of Nursing is not seeking reciprocal recognition, and they are aware of the conflicts between the Nurse Licensure Compact and border recognition law. The Nurse Licensure Compact rules address disciplinary issues and practice privileges in home states and party states. None of these parameters are addressed in the Minnesota License Recognition for Nurses from Border States, as ND does not have a reciprocal agreement with MN. The board discussed the issue in 2003 when the Minnesota License Recognition for Nurses from Border States law was first enacted, and voted to not recognize the law. At that time, the home office of the organization needed to be in the state of MN. The MN Board recently changed their interpretation so the home office no longer needs to be in MN. Staff have communicated with the MN Board of Nursing staff, and have obtained a list of nurses licensed in ND and using the ND license to practice in MN. The board recommends preparing an article for the Dakota Nurse Connection to educate the nurses as to the issues with this law. Motion: Anderson, seconded by Traynor to: CONTINUE TO NOT RECOGNIZE RECIPROCITY OF NURSE LICENSURE THROUGH THE MINNESOTA BORDER STATES RECOGNITION LAW. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
6.2 Revised "Requirements for Licensure Renewal – FAQ"	Discussion: The FAQ for "Requirements for Licensure Renewal" has been revised to address the policy revisions that allow CE for those who publish or those who provide CE presentations outside the course of their normal employment. Other minor revisions have been made for clarification. Motion: Tello-Pool, seconded by Anderson to: APPROVE THE PROPOSED REVISIONS TO THE "REQUIREMENTS FOR LICENSURE RENEWAL – FREQUENTLY ASKED QUESTIONS". Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes.
7.12 ENA Position Statement – Procedural Sedation and Analgesia in the Emergency Dept.	Byes, 0 no, 1 absent. Motion carried. Discussion: Mary Jagim, a member of the ENA was present via conference call for this agenda item. At the last meeting, the board discussed the draft procedural sedation and analgesia in the ER, and requested information from the ND Emergency Nurses Association. Ms. Jagim has worked with ENA in developing a draft consensus Procedural Sedation and Analgesia in the Emergency Dept, and reviewed the history of reasons for using procedural sedation and analgesia in the ER. She indicated the main concern of all groups was patient safety, and how the care could be provided efficiently and safely. Ms. Jagim reviewed the groups that were involved in the task force to develop the consensus paper, and reported that there have been revisions to the document the board was reviewing. NCSBN does not endorse position statements but has been working with this group and will distribute the final draft to all boards of nursing for feedback. The board discussed the issue and decided to direct staff to review the final draft in comparison to the board's current policies for consideration at the next meeting.
	Motion: Traynor, seconded by Case that: THE BOARD DIRECT STAFF TO PROVIDE A COMPARISON OF THE DRAFT PROCEDURAL SEDATION AND ANALGESIA IN THE EMERGENCY DEPARTMENT TO THE PRACTICE STATEMENTS ENTITLED: • ADMINISTRATION OF ANESTHETIC AGENTS BY THE RN; AND • ROLE OF THE REGISTERED NURSE (RN) IN THE MANAGEMENT OF PATIENTS RECEIVING SEDATION/ANALGESIA FOR THERAPEUTIC, DIAGNOSTIC, OR SURGICAL PROCEDURES. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
7.13 Retire Practice Statement	Discussion: At the last meeting, the board approved a practice statement on aesthetic and dermatological procedures which incorporates the Use of Laser or Lamp Devises for Hair Removal. Staff is requesting the old document be retired. Motion: Traynor, seconded by Case to: RETIRE THE PRACTICE STATEMENT TITLED "USE OF LASER OR LAMP DEVICES FOR HAIR REMOVAL." Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
7.14 Securing of Medication Samples – North Dakota Board of Pharmacy	Discussion: Howard Anderson, Executive Director of the Board of Pharmacy was present for this agenda item. The process of distribution of samples to a patient has been discussed with the Board of Nursing and Board of Pharmacy. The Board of Pharmacy requires that when a practitioner is dispensing medication to a client they are responsible for giving the medication to the patient with proper instructions. There was much discussion of a nurse handing the medication to a patient, and whether that was allowable. The Board of Medical Examiners and the Board of Pharmacy will be discussing the process at their respective meetings and will be in contact with the Board of Nursing for the January 2008 meeting.
7.15 Report from Nurse Practice Committee	Hill reviewed the minutes of the October 29, 2007 Nurse Practice Committee meeting. The committee reviewed the rules, and recommends the board adopt the rules for public hearing.

AGENDA ITEM	ACTION
7.16 Discussion related to the role of dialysis technician	Discussion: Board staff has taken calls regarding the role of dialysis technicians. Staff recommends developing a task force to help in developing guidelines for this area. Motion: Case, seconded by Traynor to: DIRECT STAFF TO ORGANIZE A TASK FORCE TO DISCUSS THE DEVELOPMENT OF GUIDELINES FOR THE REGISTRATION OF DIALYSIS TECHNICIANS ACCORDING TO NDAC 54-05-04-04. ACCOUNTABILITY AND RESPONSIBILITY WITHIN THE DELEGATION PROCESS. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
7.31 Prescriptive Authority Applications	Discussion: Eight individuals have submitted applications for prescriptive authority since the last meeting.
7.51 Trescriptive Additionly Applications	Motion: Hegle, seconded by Schell to: RATIFY PRESCRIPTIVE AUTHORITY FOR THE FOLLOWING: Casey Hoover, FNP, Fargo Deborah Schmitt, FNP, Williston Michelle Fulp, FNP, Grand Forks Gina Cook, FNP, West Fargo Lacee Steinberger, FNP, Fargo Suzanne O'Brien, ANP, Grand Forks Heidi Jo Peterson, FNP, Minot Susan Lardy, FNP, Bismarck Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes.
	8 yes, 0 no, 1 absent. Motion carried.
7.33 Prescription Drug Monitoring Program Council	Discussion: The board has a request from the Prescription Drug Monitoring Program for a representative from the ND Board of Nursing. The request is from the ND Board of Pharmacy and travel expenses would be covered. The board considered three individual FNPs with Prescriptive Authority. Bitz reviewed the purpose and development of the program with the board. Motion: Tello-Pool, seconded by Case to: APPOINT CHERYL RISING, FNP, TO THE PRESCRIPTION DRUG MONITORING PROGRAM COUNCIL. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes.
7.42 Licensure Portability Contract Funding	8 yes, 0 no, 1 absent. Motion carried. The board received a grant of \$20,000 for assistance in getting the Criminal History Record Check processing procedures in place. The board also reviewed an updated implementation plan for the criminal background checks.
7.5 Administrative Rule Promulgation (NPC) 11/16/2007	Discussion: The board reviewed and discussed in detail the proposed administrative rule revisions to NDAC Chapter 54. Motion from the Nurse Practice Committee: RECOMMENDS THAT THE BOARD INITIALLY ADOPT FOR PUBLIC HEARING THE PROPOSED NEW, ADDITIONS, REVISIONS AND REPEALED SECTIONS TO NDAC WITH ADDITIONAL REVISIONS RECOMMENDED BY THE BOARD TO: CHAPTER 54-01-03 DEFINITIONS ARTICLE 54-02 NURSE LICENSURE PROPOSED NEW CHAPTER 54-02-12 CRIMINAL HISTORY RECORD CHECKS ARTICLE 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAMS ARTICLE 54-04.1 NURSING EDUCATION LOANS ARTICLE 54-05 STANDARDS OF PRACTICE ARTICLE 54-05 STANDARDS OF PRACTICE ARTICLE 54-05 STANDARDS OF PRACTICE ARTICLE 54-07 UNLICENSED ASSISTIVE PERSON Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
7.51 Nursing Education Consortium Bill	The Nursing Education Consortium received \$200,000 from the 2007 legislature to develop a plan for simulators to be used for nursing education. Traynor provided an update on the project and the information reported to the Interim Budget Committee on Healthcare.
7.6 Website & Renewal	For the current renewal cycle currently in progress, 516 LPNs and 1926 RNs have renewed for 2008-2009.
7.71 Report on Regulatory Day	Bitz reported that 170 nurses attended the 2007 Regulatory Day Conference in Bismarck this year. The conference was very well received. The board reviewed a summary of the comments, and discussed the cost of providing regulatory day, as well as the staff workload in preparing for such an event. It was noted that participation is declining, and that the CE presentations that board staff do throughout the state has declined as well. The cost and amount of work to prepare such a conference was discussed in view of the number of people that attend. The board discussed offering the conference every other year instead of annually, or working with another group. The board directed staff to notice facilities of the availability of board staff to provide presentations for CE.

AGENDA ITEM	ACTION
7.71 Report on Regulatory Day (cont.)	Motion: Traynor, seconded by Christianson to: DISCONTINUE REGULATORY DAY FOR 2008 AND SEEK OTHER AVENUES FOR REGULATORY EDUCATION INCLUDING THE POSSIBILITY OF REINSTATING REGULATORY DAY. Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
9.0 Program Monitoring Committee	The Program Monitoring Committee met on November 14 th and Schell reported that the committee received a TERCAP update from Dr. Bitz Eighty eight cases have been submitted nationally, and twenty-five of those were from ND. The committee audited five encumbered cases and five WIP cases. The committee reviewed policy and procedures for discipline, probation, and WIP. The Drug Screen Testing Policy for the Workplace Impairment Program had recommended revisions. Motion from the Program Monitoring Committee to: ACCEPT THE PROPOSED REVISIONS TO THE DRUG SCREEN TESTING POLICY.
	Roll call vote: Anderson, yes; Benson, absent; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
12.1.1 Updated list of BON Committee Appointment	An updated list of Committee Appointments was distributed.
12.2 Appointment – NCSBN Committee	Mary Tello-Pool was appointed as Chairperson of the NCSBN Member Board Disaster Preparedness Committee for two years.
12.6 January Board Meeting	The January Board meeting will be via IVN and BTWAN. The board will be meeting at the NDHA Board room.

CONSENT AGENDA:

CONSENT AGENDA.
8.1 NCSBN
8.11 List of participants in the NCLEX Item Development Program
8.2 Office Management
8.22 APRN Primary Care Providers – Letter of support from Senator Conrad
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 US Index of Health Ownership – Executive Summary
8.4 Workplace Impairment Program Report
8.41 Statistics
8.5 Unlicensed Assistive Person/Medication Assistant
8.51 Testing Summary Report
8.52 NNAAP Testing
8.6 Licensure
8.61 Licensed Nurse
8.62 Unlicensed Assistive Person
8.63 NCLEX-RN
8.64 NCLEX-PN
8.65 Late Renewal Summary
8.66 AACN Certification Corporation – Acute Care NP
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel
8.9 Education
8.91 NEL Thank you notes – Julie Sagen
8.92 USD notification of 3 ADN out-of-state students practicing in ND facilities
8.93 Letter of support for TMCC US Dept of Labor Grant
8.94 Presentation College notification of 6 LPN-BSN students and 1 RN-BSN student practicing in ND facilities.
DOADD COMMITTEE

BOARD COMMITTEES:

9.0 Program Monitoring Committee	November 14, 2:30 p.m. CT - covered during regular agenda items
9.1 Nursing Education Committee	November 14, 2:00 p.m. CT – covered during regular agenda items.
9.2 Finance Committee	
9.3 Executive Committee	
9.4 Prescriptive Authority Committee	

9.5 Nursing Practice Committee

October 29, 2007 - covered during regular agenda items

UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

UP	COMING MEETINGS & REPORT OF MEETINGS ATTENDED:
10.	1 NCSBN Annual Meetings – August 5-8, 2008; Chicago
10.	2 NCSBN Monthly Meetings by teleconference calls and onsite:
	10.2-1 National and State Policy
	10.2-2 Education Consultants
	10.2-3 Discipline Networking
	10.2-4 EO Network – March 3
	10.2-5 NLCA Meeting – August 6, Chicago
	10.2-6 Mid-Year Meeting – March 4-5
	10.2-8 NCSBN Executive Officers Leadership Seminar
	10.2-9 Annual Institute of Regulatory Excellence – January 7-9, 2008
	10.2-10 IT Summit
	10.2-11 IRE Tele-conference
	10.2-12 Board Investigator & Attorney Workshop
	10.2-13 NCLEX Invitational
	10.2-14 Education Consultant Focus Group
	10.2-15 Faculty Shortage: Implications for Regulation, March 26, 2008
	10.2-16 TERCAP Task Force, October 31 – November 1, 2007
	10.2-17 Practice Consultant
	10.2-18 Examination Committee
	3 ND Nurse Leadership Council, September 25
	4 ND Organization of Nurse Executives
	5 ND Nurses Association, October 25-26, Bismarck Shanta & Bitz attended. Structure of the organization will be revised.
	6 ND Rural & Public Health Conference – March 25-27, 2008 – Fargo
	7 ND LTCA Conference,
	8 ND Health Care Association Annual Meeting
	9 ND Domestic and Sexual Violence State Prevention Team – November 5
	10 Nurse Education Higher Education Work Group – September 28, October 22 (canceled)
	11 ND Dept of Corrections – October 1
	12 Prescription Drug Monitoring Program update
	.13 Nursing Education Consortium – SB 2379 – October 31; November 29 or December 5
	14 ND Real Choice Rebalancing grant Stakeholder Final Report
	.15 Public Records and Open Meetings – October 18
	16 ND Healthcare Care Fraud Network – November 15 – declined
	17 2007 Kappa Upsilon at-Large Fall Conferences: Hot Topics in Today's Healthcare – October 5
	18 Krasnoyarsk State Medical Academy Russian Delegation - September 26
10.	.19 ND Dept of Human Services – Medicaid Division – November 1 & 9

Staff Presentation

- 11.1 Regulatory Day October 3
- 11.2 St Alexius Medical Center December 7 & 11
- 11.3 Institute of Regulatory Excellence Public Protection Panel, Austin, TX January 8, 2008
- 11.4 2008 Institute of Regulatory Excellence, Policy Development in the Nurse Regulator Role & Relationships with Stakeholders Austin, TX, January 9, 2008
- 11.5 Workplace Impairment Program Presentation @ NADONA Conference Fargo, ND February 20, 2008
- 11.6 Faculty Shortage: Implications for Regulation, Chicago, March 26, 2008
- 11.7 TERCAP Forum Chicago April 7, 2008
- 11.8 Faculty Recruitment and Retention Project DMF Fargo, October 24, 2007

The meeting recessed for lunch at 11:45 a.m. on November 15, 2007 and reconvened at 1:00 p.m.

The meeting recessed for the day at 3:30 p.m. and reconvened at 8:30 a.m. on November 16, 2007 with all members present.

The meeting adjourned at 10:30 a.m. on November 16th, 2007.

Executive Director Draft 11/21/2007